



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,972	07/31/2002	Stefan Rychlak	10191/2264	4847

26646 7590 05/05/2005

KENYON & KENYON  
ONE BROADWAY  
NEW YORK, NY 10004

EXAMINER
----------

TO, TUAN C

ART UNIT	PAPER NUMBER
----------	--------------

3663

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/070,972

Applicant(s)

RYCHLAK, STEFAN

Examiner

Tuan C To

Art Unit

3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2005.  
2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 11-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 11-16 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 11 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☒ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

Claims 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brunts et al. (U.S. 5887269A) and in view of Suzuki et al. (U.S. 5774362A)

With respect to claims 11 and 16, Brunts et al. discloses a memory card (120) (Bruns et al, figure 8), which is about the size of a credit card and is formatted to PCMCIA standards. And said memory card is for use with the memory card interface (36) (Bruns et al, figure 3, memory card 36). Brunts et al. teach that the memory card stores data regarding to a navigation destination (Bruns et al, column 7, lines 1-10) and said the memory card interface (36) is provided for reading the information stored in the memory card (Bruns et al, column 7, lines 50-65).

Bruns et al. do not disclose that the following limitation: "audio data assigned to the at least one navigation destination stored in the memory".

The reference to Suzuki et al. has been cited as teaching an input device for navigation system including teaching the data memory (25) for storing various data such as intersection data, audio data, map data, etc.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Brunts et al. to include the teachings as taught by Suzuki et al. so that a driver, specially, a driver of a tourist bus, is able to follow the audible navigation instructions to navigate the vehicle from one location to another location, or to retrieve the audible data for the purpose of introducing about a specified location to tourists who are sitting on the vehicle.

With regard to claim 12, Suzuki et al. discloses that the audio data includes information about the navigation destination (Suzuki et al., column 7, lines 23-25)

With respect to claim 13, Brunts et al. discloses a navigation system and method for navigating a motor vehicle from one location to a destination comprising the steps of: reading the navigation destination from the memory card (120) by the memory card reader (36) (Bruns et al, figure 8; figure 3, memory card 36).

Brunts et al. do not disclose the step of transmitting the navigation destination from the radio receiver to a navigation unit to calculate a route; and reading audio data assigned to the navigation destination from the memory of the navigation card.

The secondary reference to Suzuki et al. discloses an input device for navigation system, comprising: the controller (21) that receives the input from the data memory (25). And said data memory (25) includes audio data regarding to the navigation

Art Unit: 3663

destination. The controller (21) is provided as a computer to execute computer program instructions and calculate route guidance (Suzuki et al, column 4, lines 46-62).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Brunts et al. to include the teachings as taught by Suzuki et al. so that a driver, specially, a driver of a tourist bus, is able to either follow a route on a digital map or to follow an audible route guidance when traveling to a specified location. The another advantage of the combination is the audible data related to history, weather, or tourist activities could be retrieved as well.

With regard to claims 14 and 15, the reference to Suzuki et al. teach that the "voice guidance for following the travel route is also appropriately output from a speaker 26 by using the audio data 251 stored in the data memory 25" (Suzuki et al, column 7, lines 22-25).

### ***Response to Arguments***

This communication is a response to the applicant's argument filed on 02/07/2005. The applicant argues that the combination of Brunts et al. and Suzuki et al. is lacking of motivation.

The applicant's argument is not persuasive because Brunts and Suzuki et al. are both teaching the navigation system for instructing a user to navigate from one location to a destination. Claim 11 recites the following: "A navigation card for use with a key card reader of a radio receiver of a navigation system to calculate a route for a transportation device from one location to a navigation destination, the navigation card comprising: a memory in which at least one navigation destination is stored which can

be transmitted to the navigation system; and audio data assigned to the at least one navigation destination stored in the memory; wherein the navigation card is insertable into, and read by, the key card reader of the radio receiver, the key card reader normally adapted to read a key card to establish the operational readiness of the radio receiver”.

Brunts et al. direct to a navigation system having a card interface (36) for reading the data stored in the memory card (120 (Brunts et al. figure 8; column 12, lines 45-50; column 7, lines 50-65). The memory card can be made with programmable memory that is non-volatile. The memory card can store a variety of information regarding to a destinations as may be selected by the user. Also, it is noted that the navigation system of Brunts et al. can calculate a route for transportation from one location to the selected destination. It is true because when a destination is selected, an updated straight line distance and direction from a current position of the vehicle to the destination is displayed (Brunts et al, column 22, lines 54-60).

Brunts et al. is missing to include the limitation: “audio data assigned to the at least one navigation destination stored in the memory”. The secondary reference to Suzuki et al. has been cited as teaching a navigation system for providing route guiding in audible to a user who is traveling from one location to an inputted destination (Suzuki et al, column 4, lines 47-55; column 5, lines 17-20), and that the memory 25 shown in figure 1 of Suzuki is considered to store a variety information, including audio data assigned to at least one navigation stored in the memory.

Art Unit: 3663

It is clearly to realized that the teachings of Suzuki et al. is thus provided to substitute to the navigation system taught in Brunts et al. so that a driver who operates a vehicle equipped with such a navigation can drive safety in a heavy traffic hour.

### **Conclusions**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3663

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/tc

April 28, 2005

*Thomas G. Black*  
THOMAS G. BLACK  
SUPERVISORY PATENT EXAMINER  
GROUP 3663